

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

| | | |
|--------------------------------------|---|-----------------------------|
| LIBERTY MUTUAL INSURANCE COMPANY, |) | CIVIL ACTION |
| |) | NO. 96-10804-DPW |
| Plaintiff, |) | NO. 1:04-CV-10674-DPW |
| |) | (Old Southington Landfill) |
| v. |) | NO. 1:04-CV-10680-DPW |
| |) | (Solvents Recovery Service) |
| THE BLACK & DECKER CORPORATION, |) | |
| BLACK & DECKER, INC., BLACK & DECKER |) | |
| (U.S.) INC., EMHART CORPORATION, and |) | |
| EMHART INDUSTRIES, INC., |) | |
| |) | |
| Defendants. |) | |
| |) | |

ASSENTED TO MOTION FOR LEAVE TO FILE
A BRIEF IN EXCESS OF TWENTY PAGES

Black & Decker moves, pursuant to Local Rule 7.1(B)(4), for leave to file a memorandum of more than twenty pages in its Reply Memorandum in Support of Black & Decker's Renewed Motion for Partial Summary Judgment Regarding Solvents Recovery Service and Old Southington Landfill Sites. A memorandum in excess of twenty pages is appropriate to address and respond adequately to the issues pertinent to this motion.

Liberty Mutual assents to this motion.

By their attorneys,

Dated: December 10, 2004

/s/ Jack R. Pirozzolo

Jack R. Pirozzolo BBO # 400400
Richard L. Binder BBO # 043240
Willcox, Pirozzolo & McCarthy
Professional Corporation
50 Federal Street
Boston, Massachusetts 02110
(617) 482-5470